

EXHIBIT A

3 JILL DILLARD, JESSA SEEWALD,)
4 JINGER VUOLO, and JOY DUGGAR,)
)
5 PLAINTIFFS,)
)
6 VS.)

16
17 ORAL AND VIDEOTAPED DEPOSITION VIA VIDEOCONFERENCE OF
18 JILL DILLARD
19 SEPTEMBER 1, 2021



1 ORAL AND VIDEOTAPED DEPOSITION OF JILL DILLARD,
2 produced as a witness at the instance of the
3 Defendants, and duly sworn remotely was taken in the
4 above-styled and numbered cause on the 1st day of
5 September, 2021, from 10:04 to 5:47, before Dee Ann
6 Adkins, CCR in and for the State of Arkansas, reported
7 by machine shorthand, via video conference, pursuant
8 to the Federal Rules of Civil Procedure.

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P R O C E E D I N G S

THE VIDEOGRAPHER: I'm Julie Coulston, the videographer, representing Arkansas Realtime Reporting. Today's date is September the 1st, 2021. The time is 10:04 a.m. The case style is Jill Dillard, et al versus City of Springdale, et al.

The witness is Jill Dillard. Our court reporter is Dee Ann Adkins.

If counsel will introduce yourself, then the witness will be sworn.

MR. DANIELS: Shawn Daniels for the plaintiff, and cocounsel Steve Bledsoe will be in and out throughout today's deposition.

MR. OWENS: Jason Owens for the separate Washington County defendants.

MR. KIEKLAK: And Tom Kieklak for the separate Springdale defendants, and Justin Eichmann who is in the room, and Susan Keller Kendall is in the room as well.

(Witness is sworn)

JILL DILLARD,
after having first been sworn remotely, testified on her oath as follows:



1 outside the house is sort of an interesting question
2 these days with -- with all of the Internet and social

3 media and that sort of thing. Do you do any work for
4 income?

5 A. Yes, sir.

6 Q. What -- what work is that?

7 A. Mostly social media. I would say just social
8 media right now, yeah.

9 Q. And what -- what social media platforms do you
10 work on or do you derive income from?

11 A. Instagram, YouTube, and our blog.

12 THE COURT REPORTER: I'm sorry. What
13 was the last one?

14 THE WITNESS: Our blog.

15 THE COURT REPORTER: Okay.

16 Q. What's the title of your blog?

17 A. Dillardfamily.com.

18 Q. Okay.

19 A. Oh, and --

20 Q. And --

21 A. -- Facebook. I'm sorry. Facebook, too.

22 Q. Yeah. How do you -- how do you make money on
23 these -- set the blog aside for just a second. How do
24 you make money on these various social media
25 platforms?

1 A. Ads.

2 Q. So, you are -- when you say ads, do you mean
3 that advertisers place ads in the midst of content
4 that you create?

5 A. Kind of.

6 Q. Okay. Explain that for me, if you can. I
7 just -- I'm not familiar with the way all that works.

8 A. Yeah. So, we have Google Ads, which is like a
9 simple, easy way to make revenue from like -- it's
10 basically like a standard setup. You just -- I don't
11 know. It's like a simple way to make revenue from
12 something that's just existing. Basically there's
13 no -- there's not really a whole lot of interaction
14 there.

15 You just, like, check boxes and then,
16 like, there are advertisements that I may not even be
17 aware of exactly, you know, what's being on there.
18 It's not like I'm communicating with somebody
19 directly, so that's one way.

20 And then another way would be where
21 sometimes occasionally I will interact with people
22 directly and they -- and I'll do a product placement.

23 Q. I see. But these are ads that third parties are
24 placing kind of like a TV commercial is interspersed
25 during the TV show. These would be ads placed by

1 third parties, interspersed in the midst of content
2 that you create on these platforms, right?

3 A. The Google Ads are more -- it depends on the
4 platform, I guess. The Google Ads are more like third
5 party -- it depends. Like, if you're on YouTube, it
6 would pop up during the video.

7 Q. I see.

8 A. On the blog, it would just be a placement on the
9 blog. And then the other ones that I would work out
10 would be something that I would post with -- with the
11 product or something.

12 Q. And so how do you get advertisers to advertise
13 in -- in your content? What I've -- what I've found,
14 I'm just telling you personally, nobody is much
15 concerned with my content on Facebook when I post
16 pictures bragging on my kids. Nobody wants to
17 advertise. How do you -- how do you do that? Is that
18 based on page views or what?

19 A. Not necessarily.

20 Q. Are those contractual arrangements that you're
21 making with these advertisers?

22 A. Sometimes.

23 Q. Yeah. You mentioned product placements. Are
24 there any other times -- so, that would be where
25 you're actually going on one of these platforms and

1 saying this shampoo or whatever other product you
2 might be promoting is what I use or it's a really good
3 product, whatever you might say. Are there any other
4 scenarios where you're contracting directly with an
5 advertiser?

6 A. Other -- what do you mean?

7 Q. So, you do product placements, and did I
8 describe it correctly, basically that you're going on
9 one of these platforms and actively promoting a
10 product. Is that what you're talking about when you
11 said "product"?

12 A. Correct. That's a definition of a product
13 placement is I think probably --

14 Q. Yeah --

15 A. -- in layman terms.

16 Q. Well, so I've heard product placement in a --
17 in a different form and since, like, in some big
18 feature film where they've -- you know, the lead
19 actor, just in the midst of the movie, drinks a Pepsi
20 just to -- you know, without saying anything about it,
21 just drinks a Pepsi. So --

22 A. Correct.

23 Q. But when you're talking product placement,
24 you're talking about actively promoting some brand or
25 product, right?

1 A. There is a little bit of both. So, yeah. I
2 mean, it depends on what they want you to do.
3 Sometimes it's outright and sometimes it's not.

4 Q. So other than that, what you would define as
5 product placement, are there any other scenarios where
6 you're contracting or entering into agreements
7 directly with advertisers?

8 A. I mean, generally, I think that's it.

9 Q. Okay.

10 A. It's advertising.

11 Q. So, how do you get together with these product
12 placement advertisers on the front end? In other
13 words, how do they get to you to say, hey, we would
14 like you to promote our makeup or shampoo or whatever
15 the product may be?

16 A. Sure, yeah. We have, like, "contact us" buttons
17 on most of our social media and blog. So they can
18 reach out to us that way, or direct messaging, but
19 sometimes I don't always see it.

20 Q. Yeah, I understand. Do y'all have any third
21 party, an agent or anything like that that's helping
22 you coordinate these relationships?

23 A. No, sir.

24 Q. Have you ever had such a person to help you
25 with something like that?

1 perspective, why was she unable to set up any deals?

2 A. I believe she said she couldn't get anybody.

3 Q. Okay. So, outside of product placements where
4 you're making agreements directly with the advertisers
5 to promote products in one way or another actively on
6 social media, you get these -- these ads that either
7 pop up or -- or play maybe before your video or
8 whatever where you're not contracting directly with
9 the advertiser. How do you get those ads?

10 A. What are you referring to exactly?

11 Q. Yeah. So my understanding from your earlier
12 testimony was that, for instance, Google Ads that you
13 mentioned --

14 A. Oh, yeah.

15 Q. -- and pop-up ads on YouTube that y'all derive
16 some revenue from those ads. Are those just based
17 on -- on views and that sort of thing?

18 A. So there's basically, when you set up your
19 social media, there's an option to apply for different
20 kinds of -- I think it's, like, different kinds of
21 accounts or something.

22 There's a process, and in that process
23 you have the option to select the box and, like, it's
24 different on different platforms. So, like, Instagram
25 you don't make money directly but, like, on YouTube

1 you can set up a Google account and get -- like, check
2 the box, then they'll put ads in your YouTube
3 video and then you're not, like, managing necessarily
4 every single video ad. It's just, like, they
5 automatically come on there or whatever. I don't
6 know.

7 Anyways, you have a Google account
8 associated with your YouTube channel and then, yes,
9 it's like you -- the ads -- I don't know. I don't
10 know exactly how all of it works, but I know that,
11 like, yeah, it's associated with your Google account,
12 I guess.

13 Q. So, how much income are you deriving on social
14 media efforts annually?

15 A. It varies.

16 Q. How about last year?

17 A. I'm not sure exactly.

18 Q. Do you know a ballpark?

19 A. Possibly.

20 Q. Yeah. What would that ballpark amount be?

21 A. It'd be, like, 10k.

22 Q. Okay. And would that be separate and apart
23 from your husband, or would that be all of your
24 income, whatever that number is?

25 A. I mean, it's our joint account on there a lot

1 of times, so I can't really --

2 Q. I see. Okay.

3 A. Right.

4 Q. So you said it varies. Has that number, that
5 social media number, gone up or down over the last
6 five years, let's say?

7 A. I guess it's hard to tell.

8 Q. Sure.

9 A. There's lots of --

10 Q. Has that number ever exceeded, say, 15- or
11 20,000?

12 A. I don't know.

13 Q. Okay. You mentioned you were married in 2014;
14 is that right?

15 A. Yes, sir.

16 Q. How old are you today?

17 A. Today I'm 30.

18 Q. Okay. Okay. How many children do you have?

19 A. Two.

20 Q. And what are their ages?

21 A. Six and four.

22 Q. Okay. We -- as I recall, we took your husband's
23 deposition earlier, Derick. He is in law school or
24 just graduated. Is he still in law school?

25 A. No, sir.

1 kind of thing was, like, a lot of it. Not -- yeah,
2 not being -- if you are -- like, if we were under it,
3 then not having as much inability to decide, like,
4 what we wanted to film and what we don't want to film
5 and that kind of thing and those types of things.

6 Q. Okay. You don't blame yourself at all in
7 relation to the molestation, do you?

8 MR. DANIELS: Object to form.

9 Go ahead.

10 A. Do what?

11 Q. So, with respect to Josh's molestation of you
12 and your sisters, you don't blame yourself in any way
13 related to any of that, do you?

14 MR. DANIELS: Object to form.

15 A. I don't know.

16 Q. Okay. How did Josh's recent arrest affect you,
17 if at all?

18 A. Obviously it was sad to hear about what had
19 happened or what was transpiring, but I wouldn't say
20 that it deeply affected me.

21 Q. Okay. Do you have any -- let me ask you this
22 way. Have you had any interaction with Josh
23 personally, I mean, face to face, in the last year?

24 A. Yes.

25 Q. Where -- where have you seen Josh in the last

1 know if -- if you like that.

2 MR. OWENS: Pardon me. I didn't even
3 know that existed.

4 MS. DILLARD: At least it's not a cat.

5 Q. Yeah. This therapy or counseling you started
6 at the Joshua Center, did you seek that therapy
7 because of problems with your family relationships
8 and, in particular, problems with your father being
9 too controlling?

10 A. We initially sought out counseling as more of,
11 like, a mediation-type thing and that's why we
12 initially sought it out, a mediation thing with my

13 parents, yeah.

14 Q. Yeah. Did your parents ever go to the Joshua
15 Center with you?

16 A. No.

17 Q. Okay. Did they ever go at some other time that
18 you know of?

19 A. I don't know.

20 Q. Okay. Were they just not interested in
21 mediation?

22 MR. DANIELS: Object to form.

23 A. Not exactly.

24 Q. What -- what would exactly be the truth about
25 that?

1 Q. That relationship got pretty toxic at one
2 point, didn't it?

3 MR. DANIELS: Object to form.

4 Q. Do you think that's improved now?

5 A. A little bit.

6 Q. Okay. Is it triggering for you to see your
7 parents?

8 A. I don't know.

9 MR. OWENS: Okay. Ms. Dillard, I think
10 that's all I have. I know Mr. Kieklak,
11 who's cocounsel for Springdale, will have
12 some questions for you. Thank you so much
13 for your time. I hope I've been respectful
14 with you. I sure appreciate you giving us
15 the time. Thank you.

16 MS. DILLARD: Thank you, Mr. Owens.

17 MR. KIEKLAK: Let's try that again.

18 Hey, Jason, could we get a break and maybe
19 come back about 2:45? He's already off.

20 Shawn, is that okay.

21 MR. DANIELS: That's fine.

22 Jill, is that okay for you?

23 MS. DILLARD: 2:45, you said?

24 MR. KIEKLAK: Yeah, please.

25 MS. DILLARD: Sure.

1 A. Probably, like, because he was working for my
2 dad mostly.

3 Q. Uh-huh.

4 A. Like, for the TV show and stuff like that.

5 Q. So, what kind of compliance do you mean? What
6 did you have to comply with?

7 A. I guess talent management-type stuff.

8 Q. Okay. Did you ever have occasion to meet with
9 him just you, just you by yourself?

10 A. Possibly, yes.

11 Q. Did you and your husband ever have occasion to
12 meet with him just the two of you and him, to your
13 recollection?

14 A. Possibly, yes.

15 Q. And I think you mentioned already to Mr. Owens
16 about how you have different -- you -- you sought out
17 different representation eventually. I think you
18 mentioned that?

19 A. Yes.

20 Q. Is it shop, gift -- Gift Shop? No?

21 A. No.

22 Q. Sorry. What was it again?

23 A. Julia Mason, that -- yeah.

24 Q. So, you probably have never actually paid --
25 yourself -- Chad Gallagher out of your own money for

1 MR. DANIELS: Object to form.

2 A. No.

3 Q. Do you recall ever discussing that concept with
4 Mr. Gallagher?

5 A. No.

6 Q. It appears there in number 11, subsection (1)?

7 A. Un-un.

8 Q. Do you recall ever discussing that concept with
9 your dad?

10 A. Un-un.

11 Q. Or your mom?

12 A. Un-un.

13 Q. Okay. Ms. Dillard, were you ever instructed by
14 anyone to forgive your brother?

15 MR. DANIELS: Object to form.

16 A. No.

17 Q. You don't -- I'm sorry?

18 A. No, sir.

19 Q. You weren't? Okay.

20 (Exhibit 7 previously marked for
21 identification.)

22 Q. So we would go to Number 7. It seems that on
23 June the 1st, Mr. Gallagher wrote to you -- you
24 responded, "Very sweet of her. We can go over today."
25 But would you go down a little lower to see what it

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION

JILL DILLARD, JESSA SEEWALD,
JINGER VUOLO, and JOY DUGGAR,

PLAINTIFFS,

VS.

CITY OF SPRINGDALE, ARKANSAS;
WASHINGTON COUNTY, ARKANSAS;
KATHY O'KELLEY, in her individual
and official capacities;
ERNEST CATE, in his individual
and official capacities; RICK
HOYT, in his individual and
official capacities; STEVE ZEGA,
in his official capacity;
BAUER PUBLISHING COMPANY, L.P.;
BAUER MAGAZINE, L.P.; BAUER MEDIA
GROUP, INC.; BAUER, INC.;
HEINRICH BAUER NORTH AMERICA,
INC.; BAUER MEDIA GROUP USA, LLC;
and DOES 1-10, inclusive

DEFENDANTS.

CASE NO.
5:17-5089-TLB

REPORTER'S CERTIFICATION

ORAL AND VIDEOTAPED DEPOSITION OF JILL DILLARD

AUGUST 31, 2021

I, Dee Ann Adkins, Certified Court Reporter in
and for the State of Arkansas, hereby certifies the
following:

That the witness, JILL DILLARD, was duly sworn
remotely by me and that the transcript of the oral
deposition is a true record of the testimony given by



1 the witness;

2 I further certify that pursuant to FRCP Rule
3 30(e)(1) that the signature of the deponent was
4 requested by the deponent or a party before the
5 completion of the deposition and returned within 30
6 days from date of receipt of the transcript.

7 If returned, the attached Changes and Signature
8 Page contains any changes and the reasons therefor;

9 I further certify that I am neither attorney nor
10 counsel for, related to, nor employed by any of the
11 parties to the action in which this proceeding was
12 taken.

13 Further, I am not a relative or employee of any
14 attorney of record in this cause, nor do I have a
15 financial interest in the action.

16 Subscribed and sworn to on this the 10th day
17 of September, 2021.

18

19 s/Dee Ann Adkins

20 Dee Ann Adkins, CCR, CSR

21 Certificate #477, State of Arkansas

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